

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
MBI-1064

In Re Application Of: *Don*

*AF 3769*  
FEB 9 1 2006

Application No.

09/902,904

Filing Date

7/11/2001

Examiner

Gravini, Stephen M.

Customer No.

21,302

Group Art Unit

3749

Confirmation No.

9657

Invention: **BOTTLE RACK**

COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated **11/22/2005** finally rejecting Claim(s) **2, 4-7 and 9-34**.

Applicant is a small entity under 37 CFR 1.9 and 1.27.

☒ Applicant claims small entity status. See 37 CFR 1.27

The fee for this Notice of Appeal is: **\$250.00**

☒ A check in the amount of the fee is enclosed.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **50-0462**

☐ Payment by credit card. Form PTO-2038 is attached.

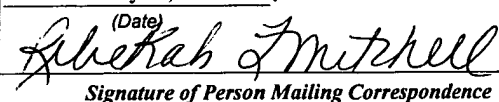
**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

  
\_\_\_\_\_  
Signature

Dated: **February 17, 2006**

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on  
**February 17, 2006**

(Date)  
  
Signature of Person Mailing Correspondence

**Rebekah L. Mitchell**

Typed or Printed Name of Person Mailing Correspondence

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